



December 2010

Natural Resources Agency

Department of Resources Recycling and Recovery (CalRecycle)

**LOCAL GOVERNMENT WASTE TIRE CLEANUP AND
AMNESTY EVENT GRANT PROGRAMS
APPLICATION GUIDELINES & INSTRUCTIONS**

TCA8 Cycle – FISCAL YEAR (FY) 2010/11

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GRANT PROGRAM OVERVIEW AND GUIDELINES

The Department of Resources Recycling and Recovery (CalRecycle) has allocated two million two hundred thousand dollars (\$2,200,000) for the Local Government Waste Tire Cleanup and Amnesty Event Grant Programs in Fiscal Year 2010/11. Public Resources Code (PRC) Section 42889(b)(5) authorizes CalRecycle to expend funds from the California Tire Recycling Management Fund (Tire Fund) to pay for the cost of cleanup, abatement, or other remedial actions related to the disposal of waste tires.

ELIGIBLE APPLICANTS

California jurisdictions including cities, counties, special districts, other political subdivisions and jurisdictions joined together by formal agreements, as well as Qualifying California Indian Tribes are eligible. Qualifying Indian Tribes. A “Qualifying Indian Tribe” is defined as an Indian tribe, band, nation or other organized group or community, residing within the borders of California, which (1) is recognized for special programs and services provided by the United States to Indians because of the status of its members as Indians; or (2) can establish that it is a government entity and which meets the criteria of the grant program.

CalRecycle is reserving twenty-five percent (25%) of the amnesty events’ funding allocation for funding grants to eligible rural entities, defined as any county, city, special district, or Qualifying California Indian Tribe within a county, which has a 2000 U.S. Census population of less than two-hundred thousand (200,000).

Grants will not be awarded to two agencies within the same jurisdiction (example: City of Sacramento Public Works Department and City of Sacramento Health Department).

ELIGIBLE PROJECTS/EVENTS

Waste tire cleanup projects include the collection, removal, transportation, recycling, and disposal of waste tires from illegal tire piles and areas where illegal dumping has occurred along public rights-of-way. Sites can be located on private or public property. The waste tires must be transported by a waste tire hauler who is registered or exempted from registration requirements by CalRecycle pursuant to Public Resources Code section 42954. Additionally, the waste tires must be transported to a CalRecycle approved solid waste facility or a waste tire storage facility or disposal site that is permitted, excluded or exempted by CalRecycle to accept waste tires). Projects not eligible for grant funding are sites where an operating business, including a farm or ranch, buys, sells, or otherwise trades tires, or that is actively stockpiling waste tires. Sites located on property that is zoned agricultural will be considered ineligible for this grant program until they have first attempted to obtain a grant through CalRecycle’s Farm and Ranch Grant Program Solid Waste Cleanup and Abatement. In addition, sites with more than 500 waste tires may be referred for CalRecycle-managed cleanup if they do not meet the eligibility requirements of either the Farm & Ranch Solid Waste Cleanup and Abatement or Local Government Waste Tire Grant Cleanup Program, or if it is determined to be more cost effective to remediate a site through that program.

Amnesty events are intended to be date specific events for the public and are not intended for the disposal of waste tires from waste tire generating businesses (PRC §42954(a)(7)). Amnesty events 1) allow citizens to bring waste tires to convenient locations for proper management up to twice per month per location or 2) can consist of a coupon program that allows citizens to bring in waste tires on specified days.

The Grantee may accept and provide amnesty for up to 20 waste tires at amnesty events from individuals. All advertising or publicity for amnesty events must clearly state that the amnesty provided by the event is limited to 20 tires, with the appropriate written authorization from the LEA.

Amnesty Events are not authorized end-use facilities for registered used and waste tire haulers and other tire-related businesses.

Any individual hauling 10 to 20 waste tires must obtain written authorization from the Local Enforcement Agency (LEA) prior to the amnesty event date. The LEA shall provide copies of any written authorizations to CalRecycle within 30 days of their issuance. If the individual has not received written authorization for hauling 10 or more tires from the LEA, the Grantee must report this information on the Unregistered Hauler & Comprehensive Trip Log Substitution Form (CalRecycle 204) and submit the form to CalRecycle within

30 days after the amnesty event at which more than 10 tires were received. If the person is transporting illegally dumped waste or used tires to an amnesty event, and has received written LEA authorization to haul without a CalRecycle hauler registration, which includes specific conditions and dates and documentation that a police report has been filed for the illegally dumped tires, then that person is exempt from the hauler registration requirements pursuant to PRC section 42954(a)(8), and there is no need to report the hauler with a CalRecycle 204 form.

JOINT APPLICANTS

Cities or counties may submit a regional application with authorization from other cities and/or counties participating in the regional application. A regional lead jurisdiction may be designated for regional programs to act on behalf of all participating jurisdictions. Each jurisdiction may submit only one grant application. Therefore, if a jurisdiction submits an application as part of a regional program, it cannot apply individually or as part of another regional program.

AVAILABLE FUNDS

- \$1,100,000 is available for waste tire cleanup projects for FY 2010/11
- \$1,100,000 is available for waste tire amnesty events for FY 2010/11
- \$50,000/site and \$200,000/applicant maximum available per grant award for waste tire cleanup projects
- \$30,000/individual applicant and \$90,000/regional applicant maximum available per grant award for amnesty events

CalRecycle may, at its sole discretion, fund only certain portions of a grant proposal; sites that have had previous enforcement action against them may be denied. CalRecycle reserves the right to not award any grants under these Programs.

- Because the Waste Tire Cleanup Grant Program and the Amnesty Event Grant Program have been combined into one grant solicitation, if fewer funds are requested than are allocated for either waste tire cleanup projects or amnesty event projects, any remaining funds will automatically be reallocated as needed to fund projects in the other grant program.
- Waste tire cleanup projects and amnesty events must be performed to achieve maximum cost effectiveness and efficiency. CalRecycle's grant manager will reduce the applicant's budget if the cost per tire for the waste tire cleanup projects or amnesty events is unreasonably higher than estimated.

GRANT PERFORMANCE PERIOD, GRANT TERM, AND REPORT PREPARATION PERIOD

Eligible costs may be incurred only during the "Grant Performance Period" which starts when the Grantee receives a "Notice to Proceed" from CalRecycle and ends on June 30, 2012. The Notice to Proceed, which is issued after the Grantee and the CalRecycle have both executed the Grant Agreement, is a formal notification from the CalRecycle that authorizes the Grantee to begin the Grant Project and incur costs.

The Grant Term starts on the same date as the Grant Performance Period and ends on September 30, 2012, the date the Final Report and Payment Request are due to CalRecycle. The period between July 1, 2012, and September 30, 2012, is referred to as the Report Preparation Period. ***Costs incurred to prepare the Final Report and Final Payment Request are the only costs that are eligible for reimbursement during the Report Preparation Period.***

ELIGIBLE COSTS

Eligible costs include:

- Costs incurred between the date indicated in the Notice to Proceed and June 30, 2012 (i.e., the Grant Performance Period);
- Costs incurred between the dates indicated in the Notice to Proceed and September 30, 2012, to prepare the Final Report and Final Payment Request. (Note that the costs to prepare the Final Report and Final Payment Request will be reimbursed any time during the Grant Term. However, costs to

prepare the Final Payment Request and Final Report are the *only* costs that are eligible for reimbursement during the Report Preparation Period [July 1, 2012 – September 30, 2012].);

- The cost of collecting and loading waste tires into transporting vehicles for waste tire cleanup projects;
- The cost of loading tires into transporting vehicles at waste tire amnesty events;
- Any salaries and benefits for personnel who are involved in the administration and oversight of amnesty events (*See Below);
- The development and distribution of educational materials or advertising of the amnesty events (*See Below);
- The cost of transporting waste tires by a waste tire hauler, registered or exempted by CalRecycle, to a permitted, excluded or exempted waste tire storage facility or other solid waste facility;
- The cost of transporting waste tires for a specific end use. Waste tires must be transported by a CalRecycle approved waste tire hauler to a CalRecycle approved end-use facility;
- The cost of disposing of waste tires at a permitted, excluded or exempted waste tire storage facility or disposal site;
- The reasonable cost (not greater than 5% of project costs reimbursed by CalRecycle) of fencing, gates, signs and other methods to secure the property where illegal dumping has occurred; and
- Salaries and benefits for personnel who are directly involved in waste tire cleanup project activities.

** Project oversight and education, outreach and advertising expenses, combined, are only reimbursable up to 25% of the amount that is reimbursed for amnesty events.*

INELIGIBLE COSTS

Costs incurred prior to the date indicated in the Notice to Proceed or after June 30, 2012, are ineligible under this grant. Additionally, ineligible costs include, but are not limited to:

- Costs incurred during the Report Preparation Period (July 1, 2012 – September 30, 2012), except for the costs incurred to prepare the Final Payment Request and Final Report;
- Personnel costs incurred while an employee assigned to the waste tire cleanup grant project is not working on the grant (e.g., use of accrued time such as sick leave, vacation, etc.);
- Costs not identified in the Work Plan or Approved Budget, unless approved in writing by the CalRecycle Grant Manager prior to the costs being incurred;
- Costs currently covered by or incurred under another CalRecycle funded loan, grant, grant cycle or contract;
- Purchasing or leasing of land;
- Purchasing or leasing of vehicles;
- Overhead (costs for accounting/budget/finance staff, rental/lease of space, utilities, copying, office supplies, etc.);
- Overtime costs (except for local government staffing during specially scheduled evening or weekend events that are pre-approved in writing by the CalRecycle Grant Manager when law or labor contracts require overtime compensation);
- Costs for obtaining necessary permits and licenses;
- Any costs that are not consistent with local, state and federal laws, guidelines and regulations;
- Activities associated with the preparation of a waste tire cleanup and/or amnesty event grant application;
- Cleanup/removal of waste tires where an operating business is located or where the owner or operator of the property is actively stockpiling tires;
- Costs of collecting waste tires from waste tire generating businesses and/or waste tire haulers;
- Costs of collecting waste tires from businesses that are responsible for contracting with registered waste tire haulers for the removal of their waste tires. If it is determined that the Grantee has used grant funds for this purpose, cost incurred will be deemed ineligible and disbursed grant funds associated with these costs must be returned to CalRecycle.
- Research costs for specific end use projects associated with the site cleanup;
- Fines or penalties due to violation of federal, state or local laws, ordinances or regulations;
- Personnel travel or per diem costs, unless approved in writing by the CalRecycle Grant Manager prior to the costs being incurred;

- Cameras, cell phones, electronic personal data devices, pagers, and other similar personal electronic devices;
- Costs connected with contractor claims against the grantee; and
- Any costs that are unrelated to the grant project or unreasonable as determined by the CalRecycle Grant Manager.

PROPERTY ACCESS AUTHORIZATION RESPONSIBILITY AFFIDAVIT FOR PRIVATE PROPERTY AND COST RECOVERY (SEE PAGE 12)

As part of CalRecycle's regulation of waste tire sites, CalRecycle generally pursues enforcement actions to compel owners of unpermitted sites to remove waste tires from their property and pursues cost recovery when the owner fails to comply and CalRecycle expends funds for the cleanup. For proposed project sites with 500-4,999 tires, the private property owners must sign a declaration under penalty of perjury (see Exhibit E) that they did not personally bring the tires onto their property, did not profit from the placement of tires on their property, did not direct, authorize, license, permit, lease (legally or illegally) or otherwise provide consent to another to bring the tires on site, nor did they inherit property from relatives that conducted any of these activities. This affidavit must be submitted with the application. In cases where such a declaration has been obtained, enforcement and cost recovery will not be pursued under the following circumstances:

1. The private property is located in a remote area and thus mobilization of CalRecycle contractors to the site under a CalRecycle-managed remediation would be impractical and/or unfeasible;
2. The private property is located in a rural area with potentially overlapping multiple property owners with no discernable or otherwise readily ascertainable property boundaries, making it difficult to determine the specific liability of each owner; and/or
3. Where the private property proposed to be remediated is incidental to a primary project involving the cleanup of illegal tire disposal sites located alongside roads and other public rights-of-ways (i.e., the waste tires on the private site constitute "spill over" from the right-of-way). Note: where tires are dumped outside of a business that deals in tires, cost recovery may be appropriate.

For sites that do not meet one of the above criteria or that have more than 5,000 tires, CalRecycle may pursue enforcement prior to awarding any grant funds. Once enforcement has been completed and if the site continues to require remediation, CalRecycle will consider the project for the next grant cycle. If needed CalRecycle shall obtain site access for the applicant or will work with the grantee's counsel to do so. In accordance with CalRecycle policy, CalRecycle shall seek cost recovery from the property owner for grant funds that are expended for the cleanup of the site.

APPLICATION QUESTION-AND-ANSWER PROCESS

All Application related questions must be submitted in writing to CalRecycle no later than February 4, 2011. Questions may be sent via e-mail to Diane.Nordstrom-Lamkin@calrecycle.ca.gov or via mail to:

Diane Nordstrom
CalRecycle
TCA Grant Programs, 10th FL
Post Office Box 4025
Sacramento, CA 95812-4025

Questions received by any other method or after February 4, 2011 will not be accepted.

Periodically during the Question and Answer (Q&A) period, Qs&As will be posted on the Qs&As website <http://www.calrecycle.ca.gov/tires/Grants/Cleanup/FY201011/Apply/QandA.htm> . Similar or related questions may be grouped together or re-worded for clarity and responded to as one question. All Qs&As will be posted on or about approximately February 11, 2011, and are subject to updates. It is the Applicant's responsibility to check this website for the latest information regarding this grant.

APPLICATION DEADLINE & SUBMITTAL

Mailed Applications must be postmarked no later than **February 18, 2011**. Hand delivered Applications must be received and date stamped by CalRecycle Staff by **3:00 p.m.** on **February 18, 2011**. Faxed or emailed applications will not be accepted. Late applications will be disqualified and will not be considered for grant funding.

Resolutions and Environmentally Preferable Purchases and Practices Policy must be submitted by **March 18, 2011**. Failure to submit these documents by **March 18, 2011**, will result in a disqualification.

U.S. Postal Service:

CalRecycle
FiRM Branch, 9th Floor
TCA Grant Programs, Danielle Abila
P.O. Box 4025
Sacramento, CA 95812-4025

Commercial Carrier or Hand-Delivered:

California Environmental Protection Agency Building
CalRecycle
FiRM Branch, 9th Floor
TCA Grant Programs, Danielle Abila
1001 "I" Street
Sacramento, CA 95814

Applications sent by U.S. Postal Service or a commercial delivery service should be sent by a means that allows for tracking by the sender and that provides an addressed and dated receipt. Failure to do so is at the risk of the applicant and if delivery is delayed or the application is lost by the Post Office or delivery service, the burden is on the applicant to demonstrate timely mailing or delivery of the application.

For hand-delivered applications, applicants are encouraged to obtain a signed and dated receipt to verify a timely submitted hand-delivered application.

GRANT APPLICATION REVIEW PROCESS

After the close of the application period, program staff will review the grant applications for completeness and eligibility. Only complete applications can be awarded funds. The Priority Ranking Criteria is used to score an applicant's cleanup projects and/or amnesty events. Applicants with the lowest cost per tire will receive the highest rank, and therefore would be recommended for funding first. Applicants that utilize the services of the California Conservation Corps (CCC) or Local Community Conservation Corps (LCCC) shall not have those costs for their services included in the cost per tire calculations. However, those costs will be included in the final grant award.

For FY 2010/11, waste tire cleanup projects will be ranked as follows:

Rank 1 – Serious threat to public health and safety and the environment.

- Residential homes, schools, commercial, industrial, recreational area, airports, waterways, electrical transmission lines, or an environmentally sensitive area that is 1,000 feet or less from the site. Cost per tire for cleanup projects in this Rank will be used as a secondary ranking criterion in the event that requested funds exceed the amount available.

Rank 2 – Cost per tire for cleanup projects that use recycling as the end use for tires collected.

Rank 3 – Cost per tire for cleanup projects that use landfilling as the end use for tires collected.

For FY 2010/11, amnesty events will be ranked as follows:

Rank 1 – Cost per tire for an amnesty events that use recycling as the end use for tires collected.

Rank 2 – Cost per tire for amnesty events that use landfilling as the end use for tires collected.

GRANT AWARD PROCESS

Program staff will develop funding recommendations for consideration/approval during April 2011 (tentative). In the event CalRecycle awards only a portion of an applicant's grant request, CalRecycle reserves the right to fund individual phases of selected proposals, and may therefore fund an amount less than requested. Should this occur, program staff will incorporate additional conditions or changes in the final grant agreement.

CalRecycle reserves the right to not award any grant funds under this program.

GRANT AWARDS CONDITIONS

CalRecycle awards this Grant subject to two conditions: 1) the recommended Grantee's Signature Authority (or where delegation is authorized), his/her Designee must sign and return the Grant Agreement to CalRecycle within 90 days from the date of mailing by CalRecycle; and 2) the recommended Grantee must a) pay all outstanding debts due CalRecycle, or b) bring current outstanding payments owed to CalRecycle within 90 days from the date CalRecycle conditionally awarded the Grant.

Failure to comply with either requirement will render the award null and void.

Tentative Timeline for TCA8 Cycle (FY 2010/11)

Date	Activity
Application release through February 4, 2011	Question and Answer Period
February 11, 2011	All answers will be posted on the Grant web site on or about this date
February 18, 2011 February 18, 2011 3:00 P.M.	Application Deadline <ul style="list-style-type: none">• Mailed applications must be postmarked by this date• Hand delivered applications must be received and date stamped by CalRecycle or its agent by this date and time
March 18, 2011	Resolution and Environmentally Preferable Purchases and Practices Policy Deadline <ul style="list-style-type: none">• Resolution must be received by CalRecycle• Environmentally Preferable Purchases and Practices Policy must be adopted and CalRecycle notified
April 2011	Cycle Awarded <ul style="list-style-type: none">• Consideration of funding recommendations, and if approved, grants awarded
May 2011	<ul style="list-style-type: none">• Grant Agreement Packages sent to grantees
90 days from mailing of Grant Agreement Package	Applicant must sign and return the Grant Agreement no later than 90 days from mailing of the Grant Agreement Package by CalRecycle
Notice to Proceed Date	Grant Term and Grant Performance Period begin on date indicated in the Notice to Proceed. Eligible expenditures may be made beginning on the date indicated in the Notice to proceed.
June 30, 2012	Grant Performance Period ends. All waste tire cleanup projects and amnesty events must be completed.
Sept. 30, 2012	Grant Term Ends and Final Report and Final Payment Request due to CalRecycle.

GRANT PROGRAM ADMINISTRATION

GRANT AGREEMENT PACKAGE

Following CalRecycle's conditional approval of Grant awards, Grantees will be mailed a Grant Agreement Package. The grant agreement package contains the following items:

- Award Cover Letter
 - Grant Agreement Form (CalRecycle 110)
 - Attachment 1–Forms Guide
- Note: See <http://www.calrecycle.ca.gov/Grants/Forms> to download the forms.*
- Exhibit A–Terms and Conditions: contain CalRecycle's standard legal requirements for Grants. Website: <http://www.calrecycle.ca.gov/tires/Grants/Cleanup/FY201011/default.htm>
 - Exhibit B–Procedures and Requirements: contain specific requirements for administering this Grant, including but not limited to project, reporting and audit requirements. Website: <http://www.calrecycle.ca.gov/tires/Grants/Cleanup/FY201011/default.htm>
 - Exhibit C–Work Plan
 - Exhibit D–Budget

The Signature Authority will be required to sign the Grant Agreement Cover Sheet (CalRecycle 110) and return it to CalRecycle within ninety (90) days from the date of mailing by CalRecycle or the grant award will be null and void. Additionally, grantees are required to 1) pay all outstanding debts, or 2) bring current any outstanding payments due CalRecycle within 90 days from the award date or the grant award will be null and void.

PRIOR TO COMMENCING WORK

Prior to commencing work under this Grant, the Grantee's Grant Manager and authorized Signature Authority should review the Terms and Conditions, Procedures and Requirements to identify key administrative requirements. Evaluation of the Grantee's compliance with these requirements is a major part of all Grant audits.

Reliable Contractor Declaration

Prior to authorizing a contractor(s) to commence work under this Grant, the Grantee shall submit to the CalRecycle Grant Manager a declaration from the contractor(s), signed under penalty of perjury, stating that within the preceding three (3) years, none of the events listed in Section 17050 of Title 14, California Code of Regulations, Natural Resources, Division 7, has occurred with respect to the contractor(s) and the subcontractor(s), respectively. See www.calrecycle.ca.gov/Regulations/Title14/ch1.htm#ch1a5 to read the referenced Section of Title 14.

REPORTING PROCESS

Grantees are required to report progress of their grant on an annual basis. The Final Report and Final Payment Request are due by September 30, 2012. The time period between July 1, 2012 and September 30, 2012, is the Report Preparation Period. The only costs that are eligible for reimbursement during this period are costs incurred for preparation of the Final Report and Final Payment Request. Detailed reporting information is included in Exhibit B – Procedures & Requirements.

PAYMENT REQUEST PROCESS

Eligible costs are authorized for reimbursement upon the CalRecycle Grant Manager's approval of the Payment Request, and if required, the accompanying Progress/Final Report. Payment Requests must include itemized documentation of claimed expenses (e.g., itemized receipts and proof of payment of invoices). Ten percent (10%) of each approved Payment Request amount will be retained by CalRecycle until the CalRecycle Grant Manager approves the Final Report, the Final Payment Request and all required supporting documentation. Failure to submit these final documents by the deadline specified in the Procedures & Requirements or failure to receive CalRecycle Grant Manager's approval of these documents by September 30, 2012, may result in the nonpayment of otherwise eligible costs. Detailed payment information is included in Exhibit B – Procedures & Requirements of the Grant Agreement Package.

GRANT AGREEMENT PROVISIONS, INCLUDING AUDIT REQUIREMENTS AND WAIVER OF PERSONAL JURISDICTION

As with all Grant Agreement provisions, the following provisions are non-negotiable. Submittal of an Application constitutes acceptance of the provisions.

1. **Audit/Records Access.** The Grantee agrees that CalRecycle, the Bureau of State Audits, or their designated representative(s) shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The Grantee agrees to maintain such records for possible audit for a minimum of three years after final payment or the end of the Grant term, whichever is later, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute or audit, whichever is later. The Grantee agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any contract or subcontract related to performance of this Agreement.
2. **Waiver of Personal Jurisdiction:** Should CalRecycle seek reimbursement of costs paid to a Grantee as a result of an audit finding, the Grantee hereby waives any jurisdictional defenses and expressly waives tribal sovereign immunity as a defense to any action in any court of the State of California for the recovery of such funds.

REQUIRED DOCUMENTS:

RESOLUTION AND LETTER OF DESIGNATION INFORMATION AND EXAMPLE -for applicants subject to a governing body, e.g., City Council, Board of Directors

The following Resolution is for example purposes only. Please consult with your attorney to determine the Resolution language most appropriate for the Application.

A copy of the authorizing Resolution is a required Application document. However, if Applicant needs additional time to obtain the Resolution, it must be received no later than **March 18, 2011**. If not received by this date the Application will be disqualified.

RESOLUTION EXAMPLE

The following “Whereas” provisions are applicable to all CalRecycle grants; however, they are not required.

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to administer various Grant Programs (grants) in furtherance of the state of California’s (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the (**Title of Governing Body**) authorizes the submittal of application(s) to CalRecycle for (choose one of the following options) 1) (names(s) of specific grants)) or 2) all grants for which (**Name of Applicant**) is eligible. [Note: this provision is either/or; do not include both options]; and

BE IT FURTHER RESOLVED that the (**Job Title**), or his/her designee is hereby authorized and empowered to execute in the name of the (**Name of Applicant**) all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for (*choose one of the following options*) 1) five (5) years from the date of adoption of this resolution **or** 2) for a period less than five years (**insert Time Period: from Month, Day, Year through Month, Day, Year**). [Note: this provision is either/or; do not include both options.].

RESOLUTION INFORMATION – REGIONAL APPLICANTS

The following Resolution is for example purposes only. Please consult with your attorney to determine the Resolution language most appropriate for the Application.

Applicant/Lead Agency for a Regional Project

1.

RESOLUTION EXAMPLE

The following “Whereas” provisions are applicable to all CalRecycle grants; however, they are not required.

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to administer various grant programs (grants) in furtherance of the State of California’s (State) efforts to reduce, recycle, and reuse solid waste generated in the State , thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish necessary procedures governing the application, awarding and management of its grants; and

WHEREAS, **(name of grant)** allows regional grant projects; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes **(Name of Applicant)** to submit a (Name of Grant) regional application on behalf of itself as Lead Agency and the participating jurisdictions as shown by the attached documentation.

BE IT FURTHER RESOLVED that the **(Title of Official)**, or its designee, is hereby authorized and empowered to execute on behalf of **(Name of Applicant)** all Grant-related documents, including, but not limited to, Applications, Payment Requests, Agreements, and Amendments necessary to secure Grant funds and to implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for *(choose one of the following options)* 1) five (5) years from the date of adoption of this resolution **or** 2) for a period less than five years **(insert Time Period: from Month, Day, Year through Month, Day, Year)**. *[Note: this provision is either/or; do not include both options.]*

Regional Participant: Required Documentation

In addition to the applicant/lead agency’s resolution discussed above, a regional application must include required authorization from each participant. Failure of any participant identified in the applicant’s resolution to provide the necessary authorization will render the grant application incomplete and ineligible. Participants must submit **one** of the following:

- A resolution from the participant’s governing body that **shall** 1) authorize submittal of a regional grant application on its behalf as a grant participant and 2) designate the applicant as the lead agency for the grant; or
- A letter on the participating agency’s letterhead that **shall** 1) authorize the submittal of a regional grant application on its behalf as a grant participant, and 2) designate the applicant as the lead agency for the grant. This letter must be dated within the 12 months prior to the application deadline and signed by

an individual who has authority to contractually bind the participating jurisdiction (e.g., the chief administrative officer); or

For Joint Powers Authorities (JPA): each member of the JPA must submit a letter that **shall** 1) authorize the submittal of a regional grant application on behalf of the JPA as a grant participant, and 2) designate the applicant as the lead agency for the grant. The letter must be dated within the 12 months prior to the application deadline and signed by an individual that has authority to contractually bind the participating jurisdiction (e.g., the chief administrative officer); or

LETTER OF DESIGNATION

-for Applicants who authorize their Signature Authority to delegate his/her authority

This letter to CalRecycle is not an Application requirement; however, it is required prior to the Designee's exercise of his/her authority. The letter must be on the Applicant's letterhead, dated within the last 12 months, and signed by the Signature Authority. The letter must:

- identify the job title of the Designee; and
- identify the scope of the Designee's authority.

The following letter is for example purposes only. Please consult with your attorney to determine the language most appropriate for the Application.

LETTER OF DESIGNATION EXAMPLE

I am the designated Signature Authority for **(name of Applicant/Grantee)**. I am authorized to execute on behalf of **(name of Applicant/Grantee)** all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved Grant Project. I am authorized to delegate this authority. Accordingly, I hereby delegate this authority to the **(Job Title of Designee)**, who is specifically identified below.

Name & Job Title
Mailing Address
City, State, Zip Code
Telephone Number

ENVIRONMENTALLY PREFERABLE PURCHASES AND PRACTICES POLICY INFORMATION

Consistent with CalRecycle's core values, all grant applicants are required to have an existing or to develop and implement Environmentally Preferable Purchasing and Practices (EPPP) Policies for their organization. An Applicant must have an EPPP Policy in place by **March 18, 2011**. Any Applicant who adopts an EPPP Policy prior to submitting its Application must certify to this fact in its Application.

Any Applicant who does not have an EPPP Policy in place when it submits its Application may certify in its Application that it will adopt one and send the EPPP Policy – Secondary Deadline Notification (Notification) to CalRecycle. CalRecycle must receive the Notification by **March 18, 2011** or the Application will be disqualified.

The list below contains concepts/policies that CalRecycle encourages organizations to include in their EPPP Policies. To see examples of existing Environmentally Preferable Purchasing and Practices Policies, visit: www.responsiblepurchasing.org/purchasing_guides/all/policies/.

Producer Responsibility and Source Reduction
1. Products have an environmental standard issued by a third-party or government agency where available. (See www.green.ca.gov/EPP/Introduction/default.htm for product-specific information).
2. Vendors or manufacturers agree to take back old product or packaging or cover the cost of recycling/disposal.
Recycled Content
3. Products contain recycled content that meet or exceed the California State Agency Buy Recycled Campaign requirements
4. Products contain recycled content that meet or exceed the guidelines in the US EPA's Comprehensive Procurement Guidelines , if higher than SABRC requirements
5. Products contain recycled content as recommended in the California Environmentally Preferable Purchasing Best Practices Manual
Energy and Water Savings
6. Products are Energy Star certified, if a US EPA Energy Star certification is available, or products are in the upper 25% energy efficiency as designated by the Federal Energy Management Program.
7. Products are Water Sense certified, if a US EPA Water Sense certification is available.
Toxicity and Pollution
8. Materials used in products are non-hazardous to the extent feasible.
9. Products do not emit harmful air emissions or volatile organic compounds to the extent feasible.
10. Products are readily bio-degradable and non-persistent in the environment after use, where practicable.
Buildings and Grounds
11. All building and renovations follow the green building practices for design, construction and operation, where appropriate, as described in the LEED TM Rating System.
Habitat Preservation
12. Raw materials used in products are sustainably harvested or contain recycled content, to the extent feasible.
13. Raw materials used in products are renewable resources (e.g., not based on a fossil fuel), to the extent feasible.
Continual Improvement
14. Training is provided to new and existing employees
15. Organization regularly evaluates and/or improves implementation of EPP policy

EPPP POLICY- SECONDARY DEADLINE NOTIFICATION

Applicants who do not have an EPPP Policy in place when they submit their Application, may certify in their Application that they will adopt one by **March 18, 2011** and will send the Notification (below) to the CalRecycle. CalRecycle must receive the Notification by **March 18, 2011** or the Application will be disqualified.

IMPORTANT! Notification sent by U.S. Postal Service or a commercial delivery service should be sent in a manner that allows for tracking by the sender and that provides for verification of delivery. Failure to do so is at the risk of the applicant and if delivery is delayed or the Notification is lost by the Post Office or delivery service, the burden is on the applicant to demonstrate timely delivery and receipt by the CalRecycle of Notification.

APPLICANT INFORMATION	
GRANT PROGRAM NAME:	
APPLICANT / ORGANIZATION NAME:	
PRIMARY CONTACT NAME:	TITLE:
TELEPHONE NUMBER:	FAX NUMBER:
EMAIL ADDRESS:	
Check box	
<input type="checkbox"/>	Yes, our entire organization has an Environmentally Preferable Purchases and Practices Policy.
	DATE ADOPTED: _____ BY: (E.G., GOVERNING BODY NAME, EXECUTIVE OFFICER, ETC.) _____
<i>Certification: I declare, under penalty of perjury, under the laws of the State of California, that the above information is true and correct to the best of my knowledge.</i>	
X	
<i>Signature Authority</i> - as authorized in Resolution or Letter of Commitment; or <i>Authorized Designee</i> - as authorized in submitted Letter of Designation	
<i>Date</i>	
<i>Print Name</i>	
<i>Print Title</i>	

Submit notification to:

CalRecycle
TEA Grant Program - EPPP
1001 "I" Street, 9th Floor
P.O. Box 4025
Sacramento, CA 95812-4025

(916) 341-5062 - phone

Property Access Authorization and Responsibility Affidavit For Private Property

I, *[name of property owner]*, certify that I am the legal owner or authorized agent of the legal owner of *[site/property description or address]* and have the authority to grant access to the property. Neither I, nor any resident, invitee, licensee, lessee or person I inherited from, personally brought any of the subject waste tires onto my property. Nor did I, or any of the above, direct, authorize, permit or otherwise provide consent to another to bring the tires on my property. Specifically, to the best of my knowledge the circumstances of how the tires were brought onto my property, and the manner in which I became aware that the tires were on my property, are as follows:

I hereby authorize *[the city or county representatives applying]*, their designated contractors and representatives, and other state and local agencies authorized to access to the property described below for the purpose of removing tires. This cleanup is being performed under the Local Government Waste Tire Cleanup Grant Program.

I understand that by signing authorization to access the property, I am not admitting liability or responsibility for the cleanup of the property.

I declare, under penalty of perjury under the laws of the State of California, that all the above information is true and accurate to the best of my knowledge and belief.

Name of Property Owner

Signature of Property Owner

Address

Parcel Number

Telephone

Date

Parcel Zoning